

sals, goods, wares or merchandize, as shall be truly pledged to them by way of security for debts due, owing or growing due to the said bank, as purchased by it to secure such debts.

Sec. 10. And be it further enacted, That the said bank shall not purchase or hold any lands, tenements or other real estates, other than that may be necessary for the convenient transaction of its business, unless such lands, tenements and real estates shall have been bona fide mortgaged to the bank by way of security, or conveyed to it in satisfaction of debts previously contracted in the course of dealings, or purchased to secure debts contracted with or due to the bank—and in every instance in which the bank may become the owners or claimants of lands, tenements or real estates, the president and directors are empowered to sell or dispose of the same, in such manner as they may deem beneficial for the said bank.

Sec. 17. And be it further enacted, That if any vacancy shall at any time happen among the directors by death, resignation or otherwise, the rest of the directors for the time being, shall elect a director to fill the vacancy.

Sec. 18. And be it further enacted, That if any number of stockholders, who shall be proprietors of not less than two thousand shares, may for any purpose relative to the institution, at any time apply to the president and directors to call a general meeting of the stockholders, and if by them refused, the said number of stockholders, proprietors of not less than the number of shares aforesaid, shall have power to call a general meeting of the stockholders, giving at least sixty days notice in one or more of the public newspapers of the city of Washington, specifying in such notice the object or objects of such call.

Sec. 19. And be it further enacted, That the total amount of the debts, which the said corporation shall at any time owe, whether by bond, bill, note or other contract, shall not exceed twice the amount of their capital stock actually paid over and above the monies then actually deposited in the bank for safe keeping. In case of excess, the directors under whose administration it shall happen, shall be liable for the same, in their natural and private capacities; and an action of debt may in such case be brought against them, or any of them, their or any of their heirs, executors or administrators in any court proper to try the same by any creditor or creditors of said corporation, and may be prosecuted to judgment and execution, any condition, covenant or agreement to the contrary notwithstanding. But this shall not be construed to exempt said corporation, or the lands, tenements, goods or chattels of the same from being also liable for, and chargeable with said excess. Such of said directors who may have been absent when said excess was contracted or created, or who may have dissented from the resolution or act whereby the same was so contracted or created, may respectively exonerate themselves from being so liable, by forthwith giving notice of the fact, and of their absence or dissent to the secretary of the treasury of the U. S. and to the stockholders at a general meeting, which they shall have power to call for that purpose; and the body corporate hereby elected, and the capital stock thereof, shall be liable for all the debts and engagements contracted, or which before or on the said fourth day of March, in the year eighteen hundred and eleven, shall be contracted by the company or copartnership heretofore created by the articles of association herein before mentioned, and which carried on the banking business under the name and style of "The President and Directors of the Bank of Washington and the creditors of the said copartnership, shall have the like remedy by action, against the said body corporate, as they had or have, or may or can have against the said copartnership.

Sec. 20. And be it further enacted, That in case it should at any time happen, that an election of directors should not be made, on any day when, pursuant to this act, it ought to have been made, the said corporation shall not, for that cause, be deemed to be dissolved; but it shall be lawful, on any other day to hold and make an election of directors, at a meeting to be called in such manner as shall be prescribed by the laws and ordinances of the said corporation.

Sec. 21. And be it further enacted, That this act shall, to all intents and purposes, be deemed and held a public act, and be and continue in force for the term of ten years, from and after the fourth day of March, which will be in the year of our Lord, one thou-

sand eight hundred and eleven, and no longer.

J. B. VARNUM,
Speaker of the House of Representatives.
GEO. CLINTON,
Vice-President of the United States, and
President of the Senate.

APPROVED,
JAMES MADISON.
February 15, 1811.

To the Freeholders of the Congressional District, composed of the Counties of Henrico, Hanover, New-Kent, Charles City and the City of Richmond.

FELLOW CITIZENS,

At the solicitation of many of my friends, I have been induced to come forward, as a candidate to represent your district, in the ensuing Congress of the U. S. and I deem it expedient to adopt this public mode of announcing myself to you; inasmuch as my professional avocations, and the want of sufficient time, will prevent my visiting the several parts of the district previous to the day of election.

As I am a young man, and individually unknown to many of you, fellow citizens, I can have no hope of success, from considerations of a personal nature; indeed, could I use advantages of the sort, I should do injustice towards you and myself. did I suppose for a moment that your suffrages (in an election so important) could be influenced by personal attachment and personal considerations—I entertain no opinion so disgraceful, and so inconsistent with the sentiments and principles, which you have ever professed—in soliciting your favor, I shall do it, on manly grounds—for upon none other would I accept it.

It is highly proper that my political tenets, should be known throughout the district, & it gives me pleasure, at all times, frankly to avow them; they have been derived from a pure & genuine attachment to the constitution of my country, and to the principles of free government and free representation—and I hold no government free unless it be the government of the people—A free representation, fellow citizens, was what we fought for; a free representation, was what we obtained; and a free representation, is what our children should be taught to cherish, and our youths to relinquish only with their lives; and I am deeply impressed with the opinion that it is only by an attachment to, and a support of, these principles, that your liberty, interests and happiness can be effectually and permanently secured.

From conviction, I have ever been a most decided republican; and a friend to the administration of the general government, because I conscientiously believe it best calculated to promote the interest and welfare of our country—in its support, my aid shall always be, most warmly given. That these are the opinions which I hold & have heretofore acted on, my conduct as a representative for the two last years in the Legislature of our state will satisfactorily show.

I know, fellow citizens, that I have faults, and may fall into error, but I shall endeavor (if elected) to preserve, on all occasions, that independence which belongs to the character of a representative of freemen, I shall not indulge in the unbecoming rights of idolatry nor worship the God head greatness, which any set of men may fashion; neither ambition nor avarice shall ever jostle me out of the line of duty; nor will I flag or languish in that course which my own judgment and convictions dictate, as proper for me to pursue.

Feeling as I do a sacred regard for the principles which gave birth to the revolution, and sealed so triumphantly our independence; I shall hold myself bound to advocate the cause of the war worn veteran, and contribute my feeble aid in rendering justice to these few remaining soldiers of liberty. It has been insinuated in the district that I am not only a violent and intolerant politician, but prepared to hang up the tables of proscription against all who differ from me in opinion; this is not the fact, and I make this declaration not from a hope that it may gain me a vote; but from a conviction of its falsehood.

It is true that I am a decided politician—by nature warm and ardent in most things I undertake, but violence and intolerance are strangers to my bosom. Attempts may be made to injure me in your estimation, but recollect, the use of character is to be the shield against calumny. To be the object at any time of misrepresentation gives me uneasiness, it is true—but an uneasiness not wholly unalleviated with satisfaction, since the experience of all ages, and countries teaches us, that calumny and misrepresentation are often the most unequalled testimonials of the zeal and fidelity with which, those against whom they are directed, have served their country. To say that I am but little concerned in the event of this election, would be neither decent nor true—the representation of this district would be an object on many accounts dear to me. Your approbation I should consider as the first prize of my life to enjoy, and to preserve it, would be my most earnest desire.

Should you think proper to bestow on me your suffrages, your rights and interests shall neither be deserted nor neglected.

With sentiments of respect,
Believe me your friend and
Fellow Citizen,
Andrew Stevenson.
Richmond, March 25th 1811.

To the Freeholders of the counties of Henrico, Hanover, New-Kent, Charles City and the City of Richmond.

WHEN I became a candidate to represent this district, I had no expectation that an active competition would take place, and therefore confined my former address to those points only upon which it was proper to be clear and explicit. A zealous competition now exists, and altho' it will make no difference in my course, yet duty to my political principles as well as to myself, require that I should make some further communications. To this I am also invited by a desire to be fully understood upon some points, to which, since the publication of my former address, my attention has been drawn.

In a district composed of so many different sects in religion as well as politics, it would be equally ridiculous, and impracticable to attempt to publish a treatise either religious, social or

political which would give general satisfaction. In the address lately published, instead of bestowing thoughts upon a matter so unattainable, I chose to lay down in clear and explicit terms, my own political principles, and intended course, so that every one might calmly reflect and candidly decide upon what was before him.

Now therefore when I well know that so many different descriptions of persons exist in the Town where I reside, and that individuals of each, support reputable stations and honorable characters—should I not expose myself to the very extremity of contempt to pretend to assume a position, either in politics or religion to which they would all promptly and cheerfully rally?

Without arrogating to myself the credit of having adopted opinions, either in religion or politics, which deserve to be preferred to others—I may with propriety say that I have given a decided preference to free toleration in religion, and to Representative Republicanism in politics—but far be it from me from reproaching or condemning those whose tenets I may believe to be less orthodox.

When I profess myself to be a republican, I mean of that description which flows from the free election of representatives for a limited period, to be endowed with such a portion of the sovereign and inalienable rights of the people, which may be necessary to preserve the general liberty, and promote the public welfare; that species of Government where every man, by means of his representative, enjoys and exercises a portion of the high uncontrollable sovereignty of the people. It is from the exercise of this sovereign authority that the representative, may be instructed how he shall discharge the functions of his office, and by it also, he may be reduced from the honorable elevation of public confidence, to a private station.

No other form of government can possess sufficient energy to ensure public happiness and safety, and at the same time to afford to its component members perennial sources of freedom in thoughts, words and deeds. Possessing such opinions, matured and irrevocably confirmed, by reflection and comparison—and not to support them by every effort of my faculties would be to declare myself in open hostility with all the attributes of philanthropy, philosophy and charity—may more to be a traitor to my own conscience and country, and to become the general enemy of mankind.

Not only historical research and numerous modern examples, but frequent and deep reflections have taught me, that the Republican system of government, by means of representatives, elected directly by the people, is the best that was ever devised for the happiness, prosperity and liberty of man—The same course of enquiry & reasoning teaches me also, that these inestimable benefits cannot be enjoyed, unless the representative be prudent, industrious, tolerant, candid and obedient to the will of his constituents, whether that will be expressed by defined instructions, or by public opinion generally and notoriously promulgated.

In this opinion I am supported by the literal meaning as well as general acceptance of the word "representative." This word is of the same import and signification as the word "agent" and to this every person of common understanding will subscribe.

The Representative therefore, if he be fit for his station, enters into an implied covenant with his constituents, not only to consult their interests, but to obey their commands; and likewise so to demean himself upon all questions, wherein their opinions are known, as the majority of his constituents would do, were it possible for them to assemble and act or vote in their individual characters; and whenever the representative shall depart from these plain principles of moral and political duty, he forfeits the confidence of his constituents, and ought without hesitation or delay to resign his powers, and thereby allow them to elect another.

In private matters, we know very well, when an agent or representative disobeys his principal, that he will be dismissed. In affairs of state the motives for dismissal, in cases of disobedience are certainly much more cogent and imperative, because a political representative, unfaithful to his trust, may not only injure every individual in the government as relates to his direct interest, but may also either jeopardize, or subvert the public liberty.

Altho' I have said enough, to unfold my own ideas of the privileges & duties of a representative, yet I will not dismiss the subject without first making

ing a critical examination of the literal and classical meaning of the word.

The word "Representative" means "one who represents the power given by another," "one who personates another." It is the direct derivative from a Latin word "Repraesento" which means "to appear in the place of another," "to personate."

Hence it seems that the construction, which I give is not only supported by political expediency, and general understanding but by a scientific examination and analyses of the word.

There are I know some politicians who deny these doctrines, and pretend, that the power which they derive is absolute and irreversible—and that they, during the time of their service are totally independent of their constituents.

Had this been the intention of those who framed the constitution, some other word of very different import would have been used. They knew that it was customary in Rome upon great occasions to appoint Dictators, whose power for a time was absolute and unlimited. Now as the framers of the constitution knew well, what was understood and what was practiced by the Roman Dictators, if they had intended to vest a similar power in the representatives, would they not have used that or some other word of equal import, calculated to convey their general meaning? Most surely they would have done so, and not having done it, establishes beyond a question that the doctrine contended for by those who say that the power of the representative during the term of his election, is paramount to the instructions of his constituents, is not only erroneous, but is a dangerous and parricidal usurpation. It is an usurpation against which I do hereby enter my solemn protest; nor shall I ever cease to exercise every faculty and function which I may possess, to excite, against it general opposition and detestation.

From these arguments, and the reflections, from which they have flowed, I hold it to be incontrovertible doctrine that the representative is no more than a temporary agent, and that he ought not only to obey the instructions of his constituents positively given, but likewise to apply himself with industry & zeal to understand what are the general interests, as well as sentiments of his constituents upon important public questions—But if from scruples of conscience he cannot faithfully discharge the commands or the wishes of the people, he should resign his authority, abandon his station and open the way for a successor.

In support of such principles, and to promote the general improvement, wealth, happiness, harmony, union and social intercourse of the United States—to avoid alliances with foreign nations—to cultivate peace, good understanding and commerce with all nations; to organize the strength and prepare the necessary means of defensive war;—to improve the great and numerous natural advantages, which peculiarly belong to this district—are the objects which have induced me to offer an entire devotion of my experience and faculties. To all this I can only add the assurance of industry and fidelity.

HENRY BANKS.

WASHINGTON CITY, March 23.
Extract of a letter, dated St. Petersburg, 25th Sept. 1810.

"At this port there have arrived to this day, 98 ships of our flag, 54 at Archangel and 10 or 12 at Riga and Revel, which, with few exceptions, will proceed directly home, fully loaded with the produce and manufactures of this country. If we had not met with the vexations to which we have been exposed on the part of Denmark, there would have been at this port alone 200 sail of American vessels; all of which, had they brought American and colonial produce, would have come to a good market, and as almost all the North and a greater part of the South of Europe are still likely to receive a large part of their supplies from the shores of the Baltic, it is of the highest importance to the mercantile interest of our country, that some security be afforded it against a continuance of the injuries which it has received from the Danes."

An attempt has been made in the Legislature of New York to obtain the passage of an act for taxing Bank Stock—but has failed of success.

New Hampshire election took place on the 12th inst. Returns from twelve towns give 1367 votes for John Langdon, republican, as Governor, & 1156 for Smith, fed.

ORLEANS TERRITORY.

The following message was, on the 13th February, read in the territorial Legislature.

NEW ORLEANS, February 13.
Gentlemen of the Legislative Council and House of Representatives.

In conformity to your request, I transmitted to Mr Jefferson, late President of the United States, under cover of a letter bearing date on the first of February, 1810, your resolutions entered into on the 19th day of the month preceding, expressive of a high sense of his "long faithful and important public services," and of a grateful recollection of his "interference in the case of the Bature."—A copy of my letter and of one from Mr. Jefferson in reply, which was received during your late recess, I now have the honor to lay before you. The perusal of Mr Jefferson's letter will be the more pleasing, since it furnishes a concise but satisfactory view of the just considerations which produced his interposition, in the particular case alluded to by the Legislature.

The preservation of the Bature, gentlemen, as a public common is not only an object of public utility but of national justice; nor do I doubt, but that such finally will be the disposition made of it by the Congress of the United States, who manifest in all their acts a devotion to the general interests of the nation.

WM. C. C. CLAIBORNE.
New Orleans, Feb. 12, 1811.

(COPY.)

NEW ORLEANS, Feb. 1st, 1810.

SIR,
In conformity with the request of the Legislative Council, and House of Representatives of the territory of Orleans, I have the honor to transmit you certain resolutions, expressive of their high sense "of your long faithful and important public services;" and of their grateful recollection of your interference in the case of the Bature, the preservation of which as a public common is considered to be no less an object of public utility than of national justice.

The Legislative Council and House of Representatives further requested me to convey to you their best wishes, "for a continuance of your life, health and happiness," to which I beg leave to add those also of

Your faithful friend,
(Signed)
WM. C. C. CLAIBORNE.
Mr. THOS. JEFFERSON,
Monticello, Virginia.

(COPY.)

MONTICELLO, May 3, 1810.

SIR,
Your favor of February first but lately came to my hand. It brings me new proofs, in the resolutions it enclosed, of the indulgence with which the Legislature of Orleans has been pleased to view my conduct, in the various duties assigned to me by our common country. The times in which we have lived have called for all the services which any of its citizens could render, and if mine have met approbation, they are fully rewarded.

The interposition, noticed by the legislature of Orleans, was an act of duty of the office I then occupied. Charged with the care of the general interests of the nation, & among these with the preservation of their lands from intrusion, I exercised on their behalf a right given by nature to all men, individual or associated, that of rescuing their own property wrongfully taken. In cases of forcible entry on individual possession, special provisions both of the common and civil law have restrained the right of rescue by private force, and substituted the aid of the civil power; but no law has restrained the right of the nation itself, from removing, by its own arm, intruders on its possessions. On the contrary a statute, recently passed, had required that such removals should be diligently made. The bature of N. Orleans, being a part of the bed contained between the two banks of the river; a naked shoal indeed at low water, but covered through the whole season of its regular full tides, and then forming the ground of the port & harbor for the upper navigation, over which vessels ride of necessity, when moored to the bank, I deemed it public property in which all had a common use. The removal too of the force which had possessed itself of it, was the more urgent from the interruption it might give to the commerce & other lawful uses of the inhabitants of the city and of the western waters generally.

If this aid from the public authority was particularly interesting to the territory of Orleans, it certainly adds new satisfaction to my consciousness of having done what was right.

I ask the favor of you to convey to the legislature of Orleans my gratitude for the interest they are so kind to express in my future happiness; and I pray the governor of the universe, that